

120 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CR-4186-2023  
DECIDED ON: 29.09.2023

AJAY MALIK

.....PETITIONER

VERSUS

JAMIL AND ANR.

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.

Present: Mr. Majush Khan, Advocate for  
Mr. Rakesh Kumar Lathwal, Advocate  
for the petitioner.

**VIKRAM AGGARWAL, J (ORAL)**

1. Prayer in the present revision petition preferred under Article 227 of the Constitution of India is for the issuance of a direction to the Executing Court at Panipat to expedite the proceedings in the execution case bearing ***No.EXE-747-2019*** titled as '***Ajay Malik Vs. Jamil and Another***' and to dispose of the same in a time bound manner.

2. The case of the petitioner is that the petitioner-Ajay Malik received injuries in a motor vehicular accident which took place on 31.10.2016. He filed a claim petition before the MACT, Panipat (Annexure P-1). The same was allowed and a sum of ₹22,78,396/- was awarded as compensation alongwith interest @ 7.5% per annum (Annexure P-2). An execution petition (Annexure P-3) was filed in October 2019 which is pending till today.

3. Learned counsel for the petitioner has submitted that the respondents-JDs are deliberately delaying the matter and are not filing reply to the application filed by the petitioner for providing details of their properties.

It has been submitted that the Executing Court be directed to dispose of the

execution petition within a specified time frame.

4. I have considered the submissions made by learned counsel for the petitioner.

5. No doubt, the award was passed as far back as on 23.07.2019 and the execution petition is pending since October 2019. However, at the same time, it is also to be borne in mind that Courts are heavily burdened with a large number of cases and execution petitions pending for adjudication. A perusal of the interlocutory orders produced by learned counsel for the petitioner, however, show that respondents-JDs are making attempts to delay the matter. This Court does not intend to fix any particular time frame for disposing of the execution petition as the Executing Court is already bound by the dictum laid down by the Hon'ble Apex Court in the case of '*Rahul S. Shah Vs. Jinendra Kumar Gandhi and Others*', 2021 AIR (Supreme Court) 2161 which lays down a period of six months for disposal of execution petitions.

Without going into further details, the present execution petition is disposed of with a direction to the Executing Court to decide the same expeditiously keeping in mind the directions issued by the Hon'ble Apex Court in the case of '*Rahul S. Shah Vs. Jinendra Kumar Gandhi and Others*', 2021 AIR (Supreme Court) 2161.

(VIKRAM AGGARWAL)  
JUDGE

29.09.2023  
Prince Chawla

Whether speaking/reasoned Yes/No

Whether reportable Yes/No

